

SHER TREMONTE LLP

Kimo S. Peluso
direct: (212) 300-2442
kpeluso@shertremonte.com

October 25, 2017

BY ECF AND U.S. MAIL

Hon. Richard E. Fehling
United States Bankruptcy Court for the
Eastern District of Pennsylvania
The Madison Building
400 Washington Street, Suite 301
Reading, PA 19601

Re: *In re Chapter 7 Bankruptcy Petition of Timothy D. Hayes,*
No. 16-11983 (REF)
315 Bowery Holdings, LLC v. Hayes,
Adv. No. 16-00186 (REF)

Dear Judge Fehling:

We represent 315 Bowery Holdings, LLC and CBGB Festival, LLC (“Plaintiffs”) in the above-referenced adversary proceeding. We write in follow up to the telephone conference with Your Honor held yesterday with Defendant-Debtor Timothy Hayes’s counsel.

We hereby request that the Court lift the current order staying the above adversary proceeding (Dkt. No. 33) for the limited purpose of taking the deposition of Mr. Hayes for purposes of the adversary proceeding and the pending action in New York Supreme Court (N.Y. Sup. Ct., Index No. 652990/2014).

To ensure that all interested parties are notified, we are filing this request to the electronic dockets of both the main bankruptcy action and the adversary proceeding.

Respectfully submitted,

/s/ Kimo Peluso

Kimo Peluso

cc: All counsel of record (by ECF)

SO ORDERED:

10/26/17


RICHARD E. FEHLING
United States Bankruptcy Judge